

Gibney, Anthony & Flaherty, LLP
John Macaluso (JM 2058)
665 Fifth Avenue
New York, New York 10022
Telephone (212) 688-5151
Facsimile (212) 688-8315
E-mail: jmacaluso@gibney.com

Of Counsel:

STEPHEN M. GAFFIGAN, P.A.
Stephen M. Gaffigan
312 S.E. 17th Street – Second Floor
Ft. Lauderdale, FL 33316
Telephone (954)-767-4819
Facsimile (954)-767-4821
Email: stephen@smgpa.net

Attorneys for Plaintiff, Chanel, Inc.

**THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

CHANEL, INC., a New York corporation)	Case No. 07-cv-6679-GBD-MHD
)	
Plaintiff,)	
)	
v.)	PLAINTIFF'S NOTICE OF
)	MOTION FOR SUMMARY
)	JUDGMENT
HEATHER L. GARDNER a/k/a HEATHER)	
BENJAMIN and COREY GARDNER,)	
individually and d/b/a GARDNERINC.NET)	
d/b/a SHOPWITHCLASS d/b/a)	
DEZ9ERDREAMZ, and DOES 1-10,)	
)	
Defendants.)	

PLEASE TAKE NOTICE that pursuant to Rule 56 of the Federal Rules of Civil Procedure, plaintiff, Chanel, Inc. hereby moves for summary judgment in its favor on the grounds that there is no genuine issue as to any material fact and, therefore, plaintiff is entitled to judgment as a matter of law against defendants Heather Gardner a/k/a Heather Benjamin and Corey Gardner individually and d/b/a Gardnerinc.net d/b/a Shopwithclass

d/b/a Dez9erdreamz, on all claims asserted in the complaint and asserted in defendants' counterclaims.

In support of this motion, plaintiff submits the following:

1. Statement of Undisputed Material Facts;
2. Affidavit of Adrienne Hahn Sisbarro;
3. Affidavit of Robert Holmes;
4. Affirmation of Lynnette Oka; and
5. Memorandum of Law.

Motion papers shall be filed promptly after service.


Pursuant to Local Rule 6.1, any opposition to this motion shall be served within ten (10) business days after service of this motion. Reply papers, if any, shall be served five (5) business days service of the opposing papers.

Parties may request oral argument by letter at the time their moving or opposing or reply papers are filed. The Court will determine whether argument will be heard and, if so, will advise counsel of the argument date.

Courtesy copies of pleadings, marked as such, shall be submitted to chambers, as soon as practicable after filing.

Date: SEPT. 15, 2008

GIBNEY, ANTHONY & FLAHERTY, LLP

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